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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,959	12/11/2000	Doron Elgressy	0655/62931	5350

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EXAMINER

NGUYEN, MINH DIEU T

ART UNIT PAPER NUMBER

2137

DATE MAILED: 04/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/622,959

Applicant(s)

ELGRESSY ET AL.

Examiner

Minh Dieu Nguyen

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 February 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-71 is/are pending in the application.  
4a) Of the above claim(s) 1-26,35-41,50-56 and 65-71 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 27-34,42-49 and 57-64 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/21/2005 has been entered.

### ***Election/Restrictions***

2. Applicant's election without traverse of group I, claims 27-34, 42-49 and 57-64 for prosecution and the cancellation of claims 35-41, 50-56 and 65-71 in the reply filed on February 8, 2006 are acknowledged.
3. Claims 27-34, 42-49 and 57-64 are pending.

### ***Response to Arguments***

4. Applicant's arguments filed October 21, 2005 have been fully considered but they are not persuasive. The applicant argues that Touboul fails to teach receiving at the filter a request for access identifying a computer resource resident on the workstation, the request for access generated by an unspecified application downloaded to the workstation from a source external to the workstation, the unspecified application not identifiable in a pre-set list of applications. The examiner contends Touboul discloses a

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downloadable (i.e. unspecified application) downloaded to the workstation from a source external to the workstation (i.e. executable application program (col. 1, lines 45-55) wherein downloadable generates request for access identifying a computer resource resident on the workstation (i.e. downloadable requires some computer operations resident on the workstation, col. 5, line 59 to col. 6, line 4), the downloadable not identifiable in a pre-set list of applications (col. 4, lines 29-33). The applicant argues the Touboul-Hayman combination is improper, there is no suggest to combine the network-based security system of Touboul with the user-based system of Hayman. The examiner contends that Touboul not only discloses a network-based application preventing hostile applications from breaching an internal network but also discloses security policies applied to client or group to which client belongs (col. 2, lines 1-6), furthermore, applicant also acknowledges Touboul and Hayman relate generally to security systems. The examiner maintains that there is proper reference in Touboul and Hayman would suggest to one of ordinary skill to combine the two references together.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 27, 42 and 57 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: there is no

connection between pre-set list of hostile applications with other claimed limitations,  
what is the function of the pre-set list of hostile applications?

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 27-32, 34, 42-47, 49, 57-62 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Touboul (6,092,194) in view of Hayman et al. (5,859,966).

a) As to claims 27, 42 and 57, Touboul discloses a system and method for protecting a computer (i.e. computer resources) and a network from hostile downloadables comprising providing a filter on a workstation for receiving internal requests for computer resources resident on the workstation (addressed by Hayman); receiving at the filter a request for access identifying a computer resource resident on the workstation (col. 4, lines 41-45), the request for access generated by an unspecified application (i.e. downloadables, col. 1, lines 44-55) downloaded to the workstation from a source external to the workstation (downloadables are executable application programs running on the destination computer utilize destination computer resources/operations, col. 4, lines 33-35), the unspecified application not identifiable in a pre-set list of hostile applications (col. 4, lines 29-33); determining whether the requested computer resource is on a list of one or more computer resources that are

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not accessible to unspecified applications (Fig. 3, path 2); allowing access to the requested computer resource if the requested computer resource is not on the list (Fig. 6C, element 666); and preventing access to the requested computer resource if the requested computer resource is on the list (Fig. 6C, element 670).

Touboul does not expressly disclose providing a filter on a workstation for receiving internal requests for computer resources resident on the workstation.

Hayman discloses protecting the information on the computer system from unauthorized access, wherein these accesses come from outside and often from within (col. 1, lines 13-20). This anticipates secure mechanism in identifying internal requests (col. 1, lines 5-10).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of providing a filter on a workstation for receiving internal requests for computer resources resident on the workstation in the system of Touboul as Hayman discloses to broadly protect computer information from unauthorized (external and internal) accesses.

b) As to claims 28, 43 and 58, Touboul as modified above discloses the list of one or more computer resources comprises a look-up table (col. 5, lines 59-67 to col. 6, lines 1-4; Fig. 3, element 310; col. 5, lines 45-48).

c) As to claims 29, 44 and 59, Touboul as modified above discloses the requested computer resource is selected from the group consisting of a memory allocation, a file and a directory (col. 5, line 59 to col. 6, line 4).

d) As to claims 30, 45 and 68, Touboul as modified above discloses the requested computer resource is selected from the group consisting of a copy command, a delete command and a compress command (i.e. file operations, col. 5, line 59).

e) As to claims 31, 46 and 61, Touboul discloses the requested computer resource comprises an operation that when performed leads to a permanent change in the workstation (col. 5, line 59 to col. 6, line 4).

f) As to claims 32, 47 and 62, please see addressed claim 27.

g) As to claims 34, 49 and 64, Touboul as modified above discloses the list of one or more computer resources comprises a list of one of more computer resources that the unspecified application may use during operations performed by the unspecified application (col. 5, line 35 to col. 6, line 4).

9. Claims 33, 48 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Touboul (6,092,194) in view of Hayman et al. (5,859,966) and further in view of Hind et al. (5,987,523).

Touboul and Hayman do not expressly disclose receiving the request comprises receiving an indirect request generated by the unspecified application.

Hind discloses receiving an indirect request generated by the unspecified application (col. 5, lines 20-41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of receiving the request comprises receiving an indirect

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request generated by the unspecified application in the system of Touboul and Hayman as Hind discloses so as to provide flexibility of communication in the computer system.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 571-272-3873.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
mdn  
4/24/06

  
**EMMANUEL L. MOISE**  
**SUPERVISORY PATENT EXAMINER**